

SO ORDERED.

SIGNED this 21 day of July, 2020.




Joseph N. Callaway
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

IN RE:

CASE NO.

WILSON ORGANIC FARM SERVICES, INC.,

**20-01190-5-JNC
CHAPTER 11**

DEBTOR

ORDER DENYING MOTION TO CONVERT

Pending before the court is the Motion to Convert Case to Chapter 12 (Dkt. 66; the “Motion”) filed by the debtor on June 23, 2020. A Response in Opposition was filed by both the Bankruptcy Administrator, Kirstin E. Gardner (Dkt. 74), and the Subchapter V Trustee, Joseph Z. Frost (Dkt. 78). A hearing on the Motion and the responses thereto was noticed for and held on July 21, 2020 in Greenville, North Carolina. Attorney Robert Lewis appeared on behalf of the debtor for the limited purpose of this Motion. *See* Dkt. 69. Kirstin Gardner appeared on behalf of the Bankruptcy Administrator; and Joseph Z. Frost appeared as the Subchapter V Trustee.

For the reasons stated in the objections and as discussed at the hearing, the corporate debtor does not qualify as a “family farmer” as provided under 11 U.S.C. § 101(18)(B). The Motion is therefore **DENIED**.

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